

Falmouth, Massachusetts
Water Resource Protection District
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Zoning Bylaw
Adopted: 1981
Revised: 1985, 1987

ARTICLE IV. OVERLAY REGULATIONS

4100. WATER RESOURCE PROTECTION DISTRICTS

4110. Purpose. The purpose of the Water Resource Protection District is to limit development in watershed boundaries to protect public health by preventing the degradation of surface water and groundwater utilized for public water supply; to allow for aquifer recharge through natural percolation, to facilitate the adequate provision of water supply; to reduce the cumulative impact of nutrient loading; to avoid undue concentration of population; to conserve the value of land and buildings including the conservation of natural resources and most appropriate use of land throughout the Town and to preserve resources for future generations.

4120. Regulations. Water Resource Protection Districts, as shown on the Zoning Map, shall be considered to be superimposed over any other district established in this By-law. Land in a Water Resource Protection District may be used for any purpose otherwise permitted in the underlying district, subject to the following additional restrictions.

4121. Use Regulations. The following uses are prohibited: junk yard, solid waste disposal, public sewage treatment facilities with on-site disposal of effluent, unless tertiary treated, car washes, coin-op or commercial laundries, trucking or bus terminals, airports or commercial accommodations. Subsurface hazardous chemical, gasoline and oil storage in corrodible containers is prohibited.

Any business, commercial or industrial use involving the large scale use, production or storage of chemicals, pesticides, herbicides, fertilizers, industrial wastes or other potentially hazardous wastes or materials shall be allowed only upon Special Permit from the Board of Appeals. Large scale use shall mean any greater use than for ordinary home use. The Board of Appeals shall require a demonstration by the applicant that any proposed use will not result in the degradation or the potential degradation of any surface water or groundwater currently used for public water supply or proposed for a future water supply.

Any residential use shall only be permitted at a density not greater than that allowed for single family detached dwellings in that district.

4122. Site Design Requirements

- a) Runoff shall be directed towards areas covered with vegetation for surface infiltration. Catch basins and piped storm sewers shall be used only where other methods are infeasible.
- b) Where the premises are partially outside of the Water Resource Protection District, site design shall, to the degree feasible, locate such potential pollution sources as on-site disposal systems outside of the District.

4123. Density Limitations. The following density limitations shall apply within the Water Resource Protection Districts:

- a. Nonresidential uses:
 - 1. Not to exceed 7.5 gallons sewage per day per 1,000 square feet of lot area. Estimated sewage flows shall be based on Title V of the State Environmental Code, 310 CMR 15.00.
- b. Residential uses in the Long Pond, Fresh Pond and Coonamessett Pond Water Resource Protection District boundaries:
 - 1. Lot size shall be a minimum of 80,000 square ft.
 - 2. Lot width shall be a minimum of 200 feet.
 - 3. Lot frontage shall be a minimum of 150 feet.

4124. Lot Coverage Limitations. The following lot coverage limitations shall apply within the Water Resource Protection Districts:

- a. Residential Uses:
 - 1. Lot coverage including structures/paving/parking shall not exceed 20% of the lots.
- b. Nonresidential Uses:
 - 1. Lot coverage including structures/paving/parking shall not exceed 40%~of the lots.

4130. Insensitive Locations. Special Permits may be granted by the Board of Appeals to exempt a location from the requirements of Section 4120 provided that the applicant demonstrates that development at that location cannot adversely affect any developed or planned public water supply. Applications for such Special permit shall be referred to the Conservation Commission, Board of Health, and the Department of Public Works for their review and comments.

